

AO 440 (Rev. 12/09) Summons in a Civil Action

Case Caption

UNITED STATES DISTRICT COURT
for the

ROGER GEORGE TEMETHY

Plaintiff(s) name(s) [or at least the first named plaintiff] is/are inserted here

Plaintiff

v.

Defendant(s) name(s) [or at least the first named defendant] is/are inserted here

Defendant

)
)
)
)
)

Civil Action No.

JUDGE SHANNON M. GALLAGHER

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Provide the name and address of the defendant. If you have more than one defendant, you must make a separate summons for each defendant. You will need to provide a summons for each defendant containing that defendant's name and address.

*JUDGE SHANNON M. GALLAGHER
1200 ONTARIO ST - COURT 22 D
CLEVELAND, OHIO 44113*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Provide your name and address. If you are not an attorney, put "pro se" after your name. Example Below:
*ROGER G. TEMETHY - PRO SE
7010 E. WHITEDOVE LN., -APT 104
John Smith, pro se
123 North Ave., Cleveland, OH 44444 MIDDLEBURG HTS, OHIO 44130*

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (*name of individual and title, if any*) _____
was received by me on (*date*) _____.

- I personally served the summons on the individual at (*place*) _____
on (*date*) _____; or
- I left the summons at the individual's residence or usual place of abode with (*name*) _____,
a person of suitable age and discretion who resides there,
on (*date*) _____, and mailed a copy to the individual's last known address; or
- I served the summons on (*name of individual*) _____, who is
designated by law to accept service of process on behalf of (*name of organization*) _____
on (*date*) _____; or
- I returned the summons unexecuted because _____; or
- Other (*specify*): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____ *Server's signature*

Printed name and title

Server's address

Additional information regarding attempted service, etc: